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July 23, 2003

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COURIER

Marianne Abely, Esquire
Attorney
Office of the General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 4953
National Republican Congressional Committee
and Christopher Ward, as Treasurer

Dear Ms. Abely:

This constitutes the response of our client, the National Republican Congressional Committee and Christopher Ward¹, as Treasurer (collectively "NRCC"), to the Federal Election Commission's ("Commission") Factual and Legal Analysis, and its Subpoena to Produce Documents and Order to Submit Written Answers in the above referenced matter. For the reasons set forth below, the NRCC hereby requests that the Commission enter into negotiations directed toward reaching a conciliation agreement pursuant to 11 C.F.R. § 111.18(d).

Since nothing in the Federal Election Campaign Act of 1971, as amended, and Commission Regulations in effect during the relevant period prohibited a national party committee from donating nonfederal funds to a like minded tax exempt organization, the NRCC does not believe that a violation took place.

Nonetheless, the time and expense of additional administrative proceedings and possible litigation would be both time consuming and expensive, thus making the process the penalty. The events and transactions at issue occurred approximately four years ago. They took place under prior leadership and a different set of campaign finance laws. Virtually all of the individuals with personal knowledge concerning the October 1999 donation to USFN have left the NRCC.

¹ Mr. Ward was not Treasurer of the NRCC at the time of the events at issue and has no personal knowledge of those events.

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Marianne Abely

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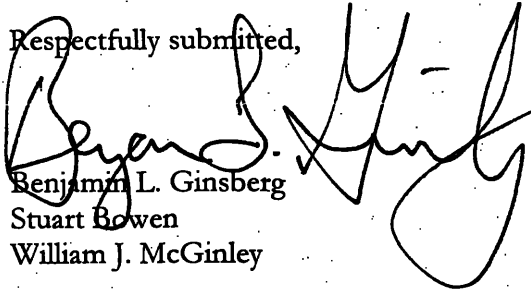
The allegation at issue in this matter is not capable of repetition. As required by the Bipartisan Campaign Reform Act of 2002 and the implementing Federal Election Commission Regulations (collectively "BCRA"), the NRCC has terminated its nonfederal accounts and is now prohibited from soliciting funds for, or making nonfederal donations to, organizations exempt from federal income tax under section 501(c) of Internal Revenue Code. See 11 C.F.R. §§ 300.10 & 300.11. Accordingly, BCRA prohibits the NRCC from engaging in similar activities in the future.

Those now running the NRCC wish to move on and close this matter in an expeditious manner by entering into pre-probable cause conciliation negotiations. Doing so will prevent the Commission and the NRCC from expending personnel and resources litigating this matter. The NRCC believes this matter can and should be conciliated reasonably, and wishes not to devote financial and personnel resources to litigating this matter in order to protect its rights and proprietary interests.

We hope that the Commission will not expend its resources or force the NRCC to spend its resources pursuing an investigation of this matter since the NRCC has requested pre-probable cause conciliation negotiations, especially since this matter is not capable of repetition under BCRA. Accordingly, the NRCC hereby requests that the Commission enter into negotiations pursuant to 11 C.F.R. § 111.18(d).

Please do not hesitate to call with any questions.

Respectfully submitted,


Benjamin L. Ginsberg
Stuart Bowen
William J. McGinley

Attachments